

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	O'Donnell et al.	)	Examiner:
Serial No.	:	10/671,106	)	R. Hutson
Cnfrm. No.	:	7285	)	Art Unit:
Filed	:	September 25, 2003	)	1652
For	:	NUCLEIC ACID ENCODING BACILLUS	)	
		STEARTHERMOPHILUS DELTA PRIME	)	
		POLYMERASE SUBUNIT	)	

---

NOTICE OF APPEAL  
AND  
REQUEST FOR THREE-MONTH EXTENSION OF TIME

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated December 1, 2006, finally rejecting claims 1, 2, and 6-16.

Applicants hereby request an extension of time of three months from the due date of March 1, 2007.

Please charge the \$500 appeal fee and the \$1,020 extension of time fee to Deposit Account No. 14-1138. Any additional fees or any overpayment can be charged/credited to Deposit Account No. 14-1138.

Respectfully submitted,

Dated: June 1, 2007

/Edwin V. Merkel/  
Edwin V. Merkel  
Registration No. 40,087

NIXON PEABODY LLP  
Clinton Square, P. O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1128  
Facsimile: (585) 263-1600